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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/773,463	01/31/2001	Susan M. Janz	10003900-1	7071

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EXAMINER

CASIANO, ANGEL L

ART UNIT PAPER NUMBER

2182

DATE MAILED: 08/24/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/773,463

Applicant(s)

JANZ ET AL.

Examiner

Angel L. Casiano

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 01 June 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-19 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-19 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

Response to Amendment

1. The present Office action is in response to communication dated 01 June 2005.
2. Claims 1-19 are pending. All claims have been examined accordingly.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 1-19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Klebanov [US 6,397,327 B1] in view of Motoyama et al. [US 6,631,247 B1], in further view of Fabbio et al. [US 5,870,089].

Regarding claim 1, Klebanov teaches a method for modifying an index of fleet devices (see col. 2, lines 31-37; “registry”, “peripheral devices”). The prior art method teaches:

- (a) Discovering a modification action for the index (see “identified”; col. 2, line 35);
- (b) Discovering a fleet device for modification in the index (see col. 2, line 35); and,
- (c) Implementing the modification action in the index (see “modified”; col. 2, line 36).

As for step (d), Klebanov teaches *obtaining information relating to the device* and adding it to the index (registry file). However, this information is not disclosed as being “page processing usage data” or as “indicative of the number of pages processed by the device”, as claimed.

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Regarding this limitation, Motoyama et al. teaches obtaining page processing usage data from a device, and more specifically, information regarding the number of pages processed by the device (see col. 21, lines 28-32; Figure 25). One of ordinary skill in the art would have been motivated to combine the cited disclosures at the time of the invention in order to obtain “status messages” or “usage information” to an administrator or service center, as taught by Motoyama et al. Furthermore, the combination of references would have provided *summary information* to be generated and sent to a resource manager or administrator regularly (see teachings by Motoyama et al., col. 2, lines 26-30).

However, the combination of references fails to teach an index of fleet devices and page processing usage data for the devices, as claimed. As for this limitation, Fabbio et al. teaches indexing events for devices, including page processing usage data (see “number of pages printed by a specific printer”; col. 8, lines 44-48). At the time of the invention, one of ordinary skill in the art would have been motivated to modify the cited combination of disclosures in order to implement management and diagnostic functions, as taught by Fabbio et al.

As for claim 2, Klebanov teaches removal of the fleet device from the index (see col. 2, line 37).

As for claim 3, Klebanov does not teach *capturing final page processing usage data* for the device, as claimed. Regarding this limitation, Motoyama et al. teaches obtaining final page processing usage data (see Fig. 5; col. 21, lines 29-32). In particular, the reference teaches “total” number of pages printed (processed) as well as the number of pages printed “since the last

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report” (see col. 21, lines 36-37). Therefore, the “final” usage data is represented by the reference by either quantity. At the time of the invention, one of ordinary skill in the art would have been motivated to combine the references for the reasons stated in the rejection of claim 1.

As for claim 4, Klebanov teaches removal of device from a registry (see col. 6, lines 61-62).

As for claim 5, Klebanov teaches addition of a fleet device to the index (see “registry”; Abstract).

As for claim 6, Klebanov teaches addition of the fleet device (see “identified”, col. 2, line 35). In addition, the reference teaches the use of a *unique identifier* for the devices (see column 1, line 34).

As for claim 7, the Klebanov reference creates a record (“includes information”; col. 6, lines 22-23) for the fleet device, after addition.

As per claim 8, Klebanov teaches collecting data for the fleet device (see col. 6, lines 34-36).

Regarding claims 9-16, these are directed to the *system* for modifying an index of fleet devices. The cited combination of prior art teaches all the limitations corresponding to claims 1-

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2 and 4-8. These claims recite the method for modifying an index of fleet devices. Therefore, the prior art of record also teaches or suggests all the limitations corresponding to the *system* for *implementing* the method. Accordingly, claims 9-16 are rejected under the same rationale.

Regarding claim 17, Klebanov teaches the *instructions* to perform the method for modifying an index of fleet devices (see col. 2, lines 31-37; “registry”, “peripheral devices”).

The prior art method discloses:

- (a) Discovering a modification action for the index (see “identified”; col. 2, line 35);
- (b) Discovering a fleet device for modification in the index (see col. 2, line 35); and,
- (c) Implementing the modification action in the index (see “modified”; col. 2, line 36).

As for step (d), Klebanov teaches *obtaining information relating to the device* and adding it to the index (registry file).

However, this information is not disclosed as being “page processing usage data” or as “indicative of the number of pages processed by the device”, as claimed. Regarding this limitation, Motoyama et al. teaches obtaining page processing usage data from a device, more specifically information regarding the number of pages processed by the device (see col. 21, lines 28-32; Figure 25). One of ordinary skill in the art would have been motivated to combine the cited disclosures at the time of the invention for the reasons stated in the rejection of claim 1.

The combination of references fails to teach an index of fleet devices and page processing usage data for the devices, as claimed. As for this limitation, Fabbio et al. teaches indexing events for devices, including page processing usage data (see “number of pages printed by a specific printer”; col. 8, lines 44-48). At the time of the invention, one of ordinary skill in

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the art would have been motivated to modify the cited combination of disclosures in order to implement management and diagnostic functions, as taught by Fabbio et al.

As for claim 18, Klebanov teaches removal of the fleet device from the index (see col. 2, line 37).

As for claim 19, Klebanov teaches addition of a fleet device to the index (see “registry”; Abstract).

Response to Arguments

6. Applicant's arguments with respect to claims 1-19 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure:

- Davidson, Jr. et al. [Us 6,025,925] teaches that a “printer procedure, generally designated by the index numeral 300, begins by initializing the laser printer under control of function block 310, at which time the Emulations Manager allocates memory for twenty-five (25) job structures. Typical information included in each job structure is the job name, job identification, *number of pages printed*, a default print environment, and other NPAP strings” (emphasis added).

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- Sakata [JP 07182122 A] teaches a method in which “when plural printers are allocated as printer servers and the printer of a print job 1 is allocated, a printer allocating part 5 selects a printer that can perform an optimum output operation based on the number of pages counted at a page counter part 2 by the print job information 3 and the printer information 4”.

8. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

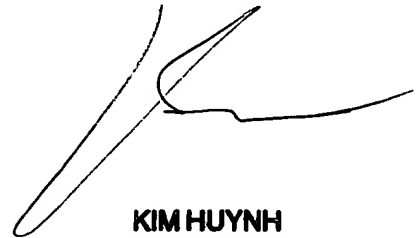
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Angel L. Casiano whose telephone number is 571-272-4142. The examiner can normally be reached on 9:00-5:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Dov Popovici can be reached on 571-272-4083. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Alc
18 August 2005



KIM HUYNH
PRIMARY EXAMINER
8/19/05